

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

TYRONE BRIGGS,

Defendant.

23-cr-253 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

This Court is in receipt of a letter from defendant Tyrone Briggs, arguing that the Bureau of Prisons (BOP) has improperly computed his sentence by failing to account for the time he spent in custody. (ECF No. 25). Because of his pro se status, the Court construes Briggs's submission as a motion to correct his sentence under 28 U.S.C. § 2241. Estelle v. Gamble, 429 U.S. 97, 106 (1976).

The Court agrees with the government and concludes that the BOP has properly calculated Briggs's sentence because at his state sentencing, the state court credited him for the time he spent on a writ in federal custody from December 21, 2022, through December 9, 2024. (ECF No. 26 at 3). Accordingly, Briggs is not entitled to also receive credit toward his federal sentence. See 18 U.S.C. § 3585(b) (a defendant shall be credited "for any time he has spent in official detention prior to the date the sentence commences . . . that has not been credited against another sentence"). Accordingly, Briggs's motion is hereby denied.

SO ORDERED.

New York, NY
June 24, 2022


JED S. RAKOFF, U.S.D.J.